

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Criminal No. 08-395 (RHK/JJG)

Plaintiff,

**ORDER ON REPORT AND  
RECOMMENDATION**

v.

Chris Bronner (01),  
Fredrick Deshawn Holmes (03),  
Kenneth Dwayne Hudson (04),  
Lawrence Darryl Porter (06),  
Donald Scott Schultz (08),  
Michael Donjuarel Scott (09), and  
Courtney Tiandre Totten (12),

Defendants

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The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. Other than Defendant Scott, no objections have been filed to that Report and Recommendation in the time period permitted.

Based upon a de novo review of the Report and Recommendation, and of Defendant's Scott's Objections thereto, and all the files, records and proceedings herein,

**IT IS ORDERED:**

1. Defendant Donjuarel Scott's Objections (Doc. No. 342) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 324 for Defendant Bronner; Doc. No. 326 for Defendant Holmes; Doc. No. 327 for Defendant Hudson; Doc. No. 329 for

Defendant Porter; Doc. No. 330 for Defendant Schultz; Doc. No. 331 for Defendant Scott; and Doc. No. 332 for Defendant Totten) is **ADOPTED**;

3. Defendant Chris Bronner's Motion for Suppression of Statements (Doc. No. 136) is terminated as **WITHDRAWN**;
4. Defendant Chris Bronner's Motion to Exclude Eyewitness Identifications (Doc. No. 183) is terminated as **WITHDRAWN**;
5. Defendant Fredrick Holmes' Motion to Suppress Confessions, Admissions or Statements (Doc. No. 248) is **DENIED AS MOOT**;
6. Defendant Fredrick Holmes' Motion to Suppress Evidence Obtained Through Illegal Search (Doc. No. 251) is **DENIED AS MOOT**;
7. Defendant Fredrick Holmes' Motion to Suppress Search and Seizure Evidence (Doc. No. 252) is **DENIED AS MOOT**;
8. Defendant Kenneth Hudson's Motion to Suppress Statements, Admissions, and Answers (Doc. No. 160) is terminated as **WITHDRAWN**;
9. Defendant Lawrence Porter's Motion to Suppress All Electronic Surveillance Evidence and Evidence Derived Therefrom (Doc. No. 143) is **DENIED AS MOOT**;
10. Defendant Donald Schultz's Motion to Suppress Evidence as a Result of a Warrantless Vehicle Search (Doc. No. 199) is **GRANTED**;
11. Defendant Donald Schultz's Motion to Renew Motion to Suppress Warrantless Automobile Search (Doc. No. 267) is **GRANTED**;

12. Defendant Michael Scott's Motion for Release from Custody (Doc. No. 140)

is **DENIED**;

13. Defendant Michael Scott's Motion to Suppress for a Rule 5(a) Violation (Doc. No. 147) is **DENIED**;

14. Defendant Michael Scott's Motion to Suppress Statements, Admissions, and Answers (Doc. No. 150) is **DENIED**;

15. Defendant Michael Scott's Motion to Dismiss Indictment (Doc. No. 255) is **DENIED**; and

16. Defendant Michael Scott's Motion to Suppress Evidence (Doc. No. 262) is **DENIED**.

Dated: June 19, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge